

Government Administration and Elections Committee

March 6, 2023

**Senate Bill 1157: AN ACT CONCERNING REVISIONS TO THE
FREEDOM OF INFORMATION ACT CONCERNING EMPLOYEES OF PUBLIC AGENCIES
- Support**

Senator Flexer, Representative Blumenthal, Senator Sampson, Representative Mastrofrancesco, and members of the Government Administration and Elections Committee:

My name is Gloshtyla Cromartie and I am a Social Security Disability Claims Specialist in the Disability Determination Services Unit (DDS) in the Department of Aging and Disability Services with over thirteen years of service. I offer the following testimony in support of Senate Bill 1157: An Act Concerning Revisions to the Freedom of Information Act Concerning Employees of Public Agencies:

I first would like to thank the committee for raising SB 1157. This is a bill that is very important to my co-workers and me. As state employees, we are dedicated to working for the people of Connecticut, but do not want to jeopardize our own personal safety or the safety of our families or our co-workers because of potential abuses of the FOIA process.

In my job as a Disability Claims Specialist, I make Social Security Disability Determinations for residents of Connecticut. It is my job to apply Social Security guidelines to determine if a claimant is found to be “disabled” and unable to work substantial gainful activity, or “not disabled” and capable of performing substantial gainful activity, even if a severe mental or physical impairment has been established. While there is a team of doctors, psychological specialists, and others who assist with this process, it is the disability claims examiner who manages the claim, interacts with the claimant, and ultimately makes the determination to allow or deny claimant’s social security benefits which for the most part include monthly disability income payments and medical coverage.

My work as a Disability Claims Specialist is important because I ensure that claimants receive accurate determinations as to whether or not they meet the federal guidelines for disability. And eligible beneficiaries receive financial assistance that so many desperately need.

At Social Security Disability Determination Services, we allow and deny claimants disability benefits based on Social Security Guidelines. When claimants are denied benefits, they can become very upset, and at times they can become threatening to disability claims examiners, because the disability examiner is the person who they have been in contact with throughout the disability claim process.

Over the past thirteen years working as a Disability Examiner, I have processed disability claims for many residents of Connecticut with a variety of physical, mental, and emotional disabilities. I had to deny benefits for many of the claimants because they did not meet the criteria necessary to be allowed disability benefits. Over the years I have received varying reactions from claimants who have been denied, and often times those

reactions are characterized by the claimants expressing their disappointment or even anger over their determination. I always try to empathize with the claimant, and do my best to explain to them how the determination was made, and the next steps that they can take to appeal the decision.

Last year, I made a determination on a particular claim. This claimant had an attorney representative representing him on his disability claim. Throughout the claim process, I kept in communication with the claimant's attorney representative through phone conversations. This particular claimant was denied for benefits because he did not meet the Social Security guidelines for disability. This claimant was enraged that he was denied, and believed that I must have mishandled his claim.

He created a narrative that I was incompetent and even implied that I may be discriminating against him due to his nationality. He did extensive research on my husband and me, and compiled a letter laying out those details. He filed a complaint against me through the Ethics Department along with his letter, which was dismissed as having no merit. He filed a complaint with the Department of Aging and Disability Services along with his letter.

The agency informed him that I had handled his claim properly, and I did no wrong. However, he was adamant to prove that I was incompetent. He requested a copy of my personnel file under the Freedom of Information Act. This made me very worried for the well being of myself and my family. This claimant seemed obsessed with discrediting me, and now he wanted access to even more of my personal information that could be found in my personnel file, that he legally had the right to access under the Freedom of Information Act.

I was told by the attorney at the Department of Disability and Aging Services that he did not have to give me the courtesy of looking over my personnel file before it was released to the claimant, however, he was giving me the opportunity to look it over. I had to go in person to my Human Resource Department so that I could look over my file. Although my social security number and birthdate were going to be redacted, my address would not be redacted unless I could prove that I had already taken steps to have my address removed from internet searches. Fortunately I had done this, because otherwise, my personnel file would have confirmed my home address to the claimant. And although I was told that no medical information would be released, all emails had to be included. Some of these emails were emails indicating the birth of my child. Since the emails were dated, it would be easy for someone to estimate the age of my child. I felt helpless knowing that this claimant, who had already apparently spent significant time going through extensive research of my husband and myself, would now potentially be able to figure out the age of my child. My file also included W2 tax forms with my number of dependents listed, financial documents concerning the purchase of my home, college transcripts, employee evaluations, and much more.

I am so grateful that I am a part of a union that supported me through this process, however they could not stop the ultimate release of my file. Therefore, the claimant was told that he could pay for a copy of my file and pick it up from the Human Resources Office. Thankfully, this claimant had a change of heart and finally admitted that I had done no wrong, and he withdrew his request for my file. I still wonder what would have

happened to me, my family, or my co-workers if he had not.

While it is true that personal information can be found in places other than a FOIA release - as we all know, sometimes all it takes is an internet search - that should not be an excuse for the state to help facilitate the release of that information. The open and transparent operation of state agencies is essential to our democracy and at the foundation of the idea of government of the people, by the people, and for the people. However, that does not mean my home address needs to be accessible through a FOIA request. For my safety and security, as well as the safety and security of my family and co-workers, I urge you to support Senate Bill 1157.

Thank you for hearing my testimony and listening to my story from DDS.

Gloshyla Cromartie